

## UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

FILED IN OPEN COURT <sup>10</sup>  
 ON 7/12/2013  
 Julie A. Richards, Clerk  
 US District Court  
 Eastern District of NC

United States of America

v.

Mark Allen Howell

## AMENDED JUDGMENT

Case No: 4:08-CR-41-1BOUSM No: 51237-056Date of Original Judgment: February 9, 2009Date of Previous Amended Judgment: N/A

(Use Date of Last Amended Judgment if Any)

Thomas P. McNamara

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
 PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_

The court finds the offense level resulted from application of the career offender guideline.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated \_\_\_\_\_

shall remain in effect. **IT IS SO ORDERED.**

Order Date:

7-12-13

*Terrence Boyle*  
 Judge's signature

Effective Date:

(if different from order date)

Terrence W. Boyle, United States District Judge

Printed name and title

EDNC 7/26/2012